

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

DEBORA COLEMAN

VS.

DOLLAR GENERAL CORPORATION

d/b/a DOLLAR GENERAL STORE #17927, TAYLOR WRAY, CIRCUIT CLERK

and JOHN DOES I-V

BY Denise D.C.

DEFENDANTS

FILED
MADISON COUNTY

PLAINTIFF

CIVIL ACTION NO.

CI 2021-0260JR

SEP 29 2021

COMPLAINT

TRIAL BY JURY REQUESTED

COME NOW the Plaintiff, by and through her attorneys of record, and files this her Complaint against the Defendants, Dollar General Corporation d/b/a Dollar General Store #17927, and John Does I-V and in support thereof would show unto the Court, to-wit:

I

Plaintiff, Debora Coleman, is an adult resident citizen of Hinds County, Mississippi, residing at 3179 Lanewood Rd, Jackson, MS 39213.

II

The Defendant, Dollar General Corporation d/b/a Dollar General Store #17927 is a corporation organized and existing under the laws of the State of Tennessee, as a Foreign Corporation. Dollar General Corporation is doing business in Holmes County, Mississippi located at 9650 Hwy 12, Tchula, MS 39169 and may be served with process of this Court through its registered agent, Corporation Service Company, 7716 Old Canton Rd, Suite C, Madison, MS 39110.

III

Defendants, John Does I-V, now are, and at all times mentioned in this pleading were, in the employ of Defendant and were acting within the scope of their authority as such agents, on behalf of Defendant and for its benefit.

IV

The true, correct and/or complete names of Defendants, stated fictitiously as John Does I-V or as partially left blank in this pleading, are unknown to Plaintiffs. When the true and correct and full names of these Defendants are ascertained, Plaintiff will ask this court for permission to amend, insert their true and correct names and to effect service of process on the Defendants

JURISDICTION AND VENUE

V

The Circuit Court of Madison County, Mississippi has jurisdiction over the parties and the subject matter of this action since this civil action arises out of the negligent acts or omissions committed in the state of Mississippi.

VI

Venue is proper in Madison County pursuant to Mississippi Code §11-11-3. Defendant Dollar General Corporation d/b/a Dollar General Store #17927 in Flora, MS 39071-968 may be found doing business in Madison County, Mississippi and the conduct that is the subject of this lawsuit substantially occurred in Madison County, Mississippi.

FACTS

VII

On or about November 10, 2018, Plaintiff Debora Coleman went to the Dollar General Store #17927 located at 1153 Pocahontas Rd, Flora, MS 39701-968 to purchase a bottle of water.

VIII

On information and belief, the Dollar General Store #17927 business operates until 10:00 pm at the time of the subject incident.

IX

Upon arrival, at approximately 9:51 pm, Plaintiff noticed that the sliding doors to the Dollar General Store #17927 were already closed. Plaintiff manually opened the sliding doors and asked

an employee if the store was still open, to which the store employee replied that the store was in fact still open. Plaintiff then proceeded to the section of the store where water bottles were kept and retrieved one to purchase. Plaintiff purchased the water bottle and then proceeded to exit the store.

X

The sliding doors, having not been triggered by the store employee to open automatically, were still in need of manual operation. Plaintiff again opened the sliding door manually and as she was exiting the store, the sliding doors suddenly, with great force, slammed close, catching Plaintiff's right hand and wrist between the sliding doors.

XI

A store employee, upon seeing Plaintiff's accident, rushed to turn the automatic switch for the sliding doors into the on position, so that Plaintiff could be released from the middle of the sliding doors.

XII

As a direct and proximate result of the Defendant's failure to have the sliding doors operating properly, Plaintiff suffered serious injuries to her right hand and wrist, for which she had to seek medical treatment.

COUNT 1: NEGLIGENCE

XIII

Businesses have a duty and responsibility to ensure that ordinary care is taken to minimize the foreseeable risks to invites to its premises. It is the Plaintiff's position that the Defendant was negligent, acting by and through its employees; acting in their course and scope of their employment in some, one, or more of the following particulars:

1. Failing to keep the Dollar General Store #17927 operating properly under its normal business hours.

2. Failing to warn Plaintiff of the hazard, then and there present, because of the sliding doors not being operational.

3. The Defendant willfully disregarded the known risk then and there existing as a result of its failure to eliminate the hazard posed by not having the sliding doors operational, to keep invitees such as Plaintiff from injuring themselves in non-operational sliding doors.

XIV

The Defendant failed to have their sliding doors operational. The Defendants failure to keep the sliding doors operational during business hours constitutes negligence and is and was a direct and proximate contributing cause of the injuries sustained by Plaintiff.

XV

The Defendant had a duty to use reasonable care and administer all preventive measures necessary to avoid the injuries complained of herein. Defendant negligently disregarded the known risk involved in not having the sliding doors operational during business hours.

XVI

DAMAGES

The negligent actions and/or inactions of Defendant caused Debora Coleman reasonably foreseeable substantial physical injuries and mental anguish. As a result, Debora Coleman should be compensated by way of a money judgment against the Defendant

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully requests that this court enter a judgment jointly and severally against the Defendants named herein for all actual and compensatory damages allowed by law in excess of the jurisdictional limits of this Court and other damages which the court may deem appropriate including but not limited to pre-judgment interest and attorney's fees as may be proper.

This the 28th day of September 2021.

Respectfully submitted,

DEBORA COLEMAN, PLAINTIFF

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FEE BILL, CIVIL CASES, CIRCUIT COURT

State of Mississippi
Madison County

Case # CI-2021-0260 Acct # Paid By CHECK 26303 Rct# 93412

CV CLERK'S FEE	85.00
CV LAW LIBRARY	2.50
CV COURT REPORTER TAX	10.00
CV COURT EDUCATION	2.00
CV COURT ADMINISTRATOR	2.00
CV CIVIL LEGAL ASSISTANCE FUND	5.00
CV COMPREHENSIVE ELECTRONIC CT	10.00
CV JURY TAX	3.00
CV CONSTITUENTS FE	.50
CV RECORDS MANAGEMENT PROGRAM	1.00
CV-JUDICIAL SYS OPERATION FUND	40.00

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Total \$ 161.00

Payment received from BLACKMON & BLACKMON

Transaction 99252 Received 9/29/2021 at 13:57 Drawer 1 I.D. DENDY

Current Balance Due \$0.00 Receipt Amount \$ 161.00

By _____ D.C. ANITA WRAY, Circuit Clerk

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